

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

<b>In re:</b>	)	
	)	<b>Case No. 08-35653-KRH</b>
<b>CIRCUIT CITY STORES, INC., et al.,</b>	)	
	)	<b>Chapter 11</b>
<b>Debtors.</b>	)	

**AFFIDAVIT OF JENNY C. PETRI**

<b>State of North Carolina</b>	:	
	:	<b>SS:</b>
<b>County of Wake</b>	:	

NOW COMES Jenny C. Petri, being duly sworn, and deposes and says as follows:

1. I am a citizen and resident of Wake County, North Carolina and am over 21 years of age.

2. I am the Vice President of Frederick Investment Corporation which is the corporate general part of Glenmoor Limited Partnership ("Glenmoor"). I have held this position since April 1987. I am familiar with the assets and operations of Glenmoor since that time.

3. I am also licensed real estate broker in the State of North Carolina.

3. As Vice President of Frederick Investment Corporation, it is part of my job to find new tenants for unoccupied property under the control of Glenmoor Limited Partnership. One of the properties within the scope of my duties is the Circuit City Store No. 840 located on Creedmoor Road in Raleigh, North Carolina (the "Property").

4. Glenmoor Limited Partnership leased the underlying property to Circuit City Stores, Inc. via a Lease dated August 1, 1996 ("Lease"). A true and correct copy of the Lease is attached as Exhibit A to Glenmoor's Proof of Claim filed in this matter on April 24, 2009, which is incorporated herein by reference. The term of the Lease expired on July 31, 2016.

5. Debtor filed for relief under Chapter 11 of the Bankruptcy Code on November 10, 2008. The Debtor had not paid any rent or charges for the month of November, which were due November 1, 2008.

6. The Debtor rejected the Lease and vacated as of March 10, 2009.

7. Even prior to the rejection of the Lease and the vacation of the premises by the Debtor on March 10, 2009, Glenmoor has actively tried to find a new tenant for the Property. Glenmoor actively engaged in discussions with representatives of Circuit City to determine the need to explore other leasing options.

8. Glenmoor contacted numerous parties and commercial brokers, and received contact from numerous parties and commercial brokers, regarding the re-leasing of the Property. Glenmoor maintained a log of contacts obtained in its efforts to bring in a new tenant. A copy Glenmoor's contact log is attached as Exhibit A.

7. Glenmoor's efforts to obtain a replacement tenant for the Property included the consideration of subdividing the Property and selling the Property.

8. Glenmoor prepared and disseminated a "Fact Sheet" concerning the Property and a site map to all interested parties.

9. Glenmoor is in possession of numerous correspondence to and from interested parties, including national retail chains, regarding the Property.

10. In order to encourage the broadest possible interest, Glenmoor did not set the terms for the Property, but instead invited interested parties to "make" an offer.

11. As indicated above, Glenmoor commenced these substantial efforts prior to March 9, 2009 and continued such efforts, without cessation, through 2009 until it entered into a

Purchase and Sale Agreement to sell the Property to a third party. Such sale closed on May 4, 2010.

12. Glenmoor actively engaged in substantial efforts to mitigate any damages resulting from Circuit City's default under the Lease.

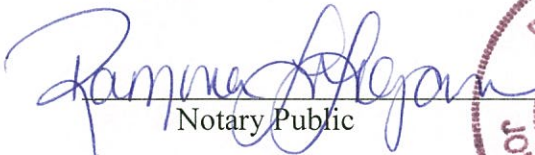
13. In addition to damages for the rejection of the Lease, Glenmoor is owed \$66,803.81 for claims which accrued prior to the Chapter 11 petition date of Circuit City. This amount is obviously not capable of being subject to any mitigation by Glenmoor.

These statements are true. Further, affiant sayeth not.

This 21<sup>st</sup> day of June, 2012.

  
Jenny C. Petri

Sworn to and subscribed before me  
this 21<sup>st</sup> day of June, 2012.

  
Notary Public

My Commission Expires: 10-29-12



# EXHIBIT A

Circuit City Contacts

Name	Company	E-mail Address	Address	Phone	Fact Sheet / Plans	Notes
Allen, Chester	Grubb & Ellis	chester.allen@lgcc.com	Raleigh	919-719-8191	05/29/2009	
Anz, Kyle	HGA Holdings	Kyle@HGAHoldings.com	Raleigh	919-369-3406	05/01/2009	
Barzola, Charlie	Commercial Carolina	charzola@commercialcarolina.com	Raleigh	919-333-6930	04/24/2009	Cushman Wakefield
Beddingfield, Mark	Allen Tate	mark.beddingfield@allentate.com		919-306-5351	04/28/2009	
Bell, Baker	Bell Commercial			919-608-9522		Has a REIT interested in buying it.
Bloom, Leona	Wake County Library	buttons04@juno.com	Raleigh	274-8600		
Boone, Cynthia	North Park Church	int@coreproperties.com	Charlotte	919-417-0149	06/18/2009	
Braswell, Anthony	Core Properties	mktbu1@protonmail.com		815-0500	03/09/2009	location for church services
Brubaker, Matt	Cornerstone Realty	wir@clemanassociatesonline.com	Raleigh	919-828-4808 x103	06/18/2009	Fact Sheet only
Coleman, Wm	Coleman & Associates	rdconnor@lincolnhams.com		919-645-6968	05/11/2009	
Conner, David	Lincoln Hams	richardconton@prudentialcresnc.com		910-431-7986	02/18/2009	HT, Lowes Fact Sheet only
Cotton, Richard	HHGregg broker	groussins@co.wake.nc.us	Raleigh	919-856-6726	05/14/2009	
Courier, Debbie	Wake County Library	charlie.coyne@chre.com		919-831-8233	06/01/2009	
Cousins, Dale	CB Richard Ellis	David@divinestoltz.com	Cary	919-669-4931	07/06/2009	
Coyne, Charlie	Divine Stoltz Realty	morrison.devine@svm.com			04/24/2009	
Devine, David		fidckens@cdtcm.com			05/12/2009	
Devine, Morrison		nehan.alboujak@yahoo.com		919-831-1281	04/14/2009	
Dickens, Fred	Raleigh Jaycees	adam.emerson@gmail.com	Raleigh	919-524-0435	06/18/2009	Wants to use space Sep/Oct/Nov. Checking Wilburly 1st.
Elboujak, Hesham	Evans Comm. Properties	David.Fleming@AM_JLL.com	Raleigh	919-819-7409	06/01/2009	resent 06/02 b/c the original went to a wrong address
Emerson, Adam	Tr Properties	RCoylford@trprop.com	Raleigh	919-424-8167	04/30/2009	
Evans, John	Shopping Center Gp	abbing@theshoppingcentergroup.com	Raleigh	380-8041(W) 349-3734(c)		
Fleming, David	CE Richard Ellis	ice.graham@chre.com				
Gaylord, Ryan	Viking Partners	bhall@vikingprop.com	Cincinnati	513-505-9786		
Goodwin, Abbitt	New South Properties	dhall@newsouthprop.com		704-927-2897	05/07/2009	sale of joint venture
Graham, Joe	Grubb & Ellis	HHanna@nc.rr.com		919-818-5120		contacted by Dan Obermeier first. Trader Joes/Staples
Hall, Ben		todd.harrison@lgcc.com	Raleigh	919-420-1566		
Hall, Dale		JHarris@cdtcm.com		919-649-6114	06/24/2009	
Hanna, Shawn		markhells@nc.rr.com		919-673-0436	06/01/2009	
Harrison, Todd		rob@interfaceproperties.com			04/24/2009	
Harris, Jim	interface Properties	mibb@capitalcommercial.com		919-608-2811	06/02/2009	I think she remained and her new name may be Lobdell
Hassan, Moe	Capital Commercial	marianak@aol.com		336-286-0299		
Hells, Mark	Hunt Investment Properties	lynch@rosamund.net	Raleigh	888-4472		
Hicks, Rob	Redd Realty Services	don@greatstreetreale.com	Nashville	615-412-5006(w)910-3823(c)	04/16/2009	CVS wants to broker deal
Hobson, Marlane	Rosamund Properties	s.mayer@ntrmarch.com		919-842-1178	04/02/2009	Dick's. As-Built only
Lyons, Don	MJM Architecture	jeff.p.michaels@gmail.com		512-472-7774		wants to do the plans and specs for a Dick's store
Maier, Steve	Schlosser Development	dmorton@scscaustin.com	Austin, Tx	919-368-0751	06/22/2009	
McNeill, Jeremiah	Poast Comm. Advisors	adam@poast.com		704-348-7060	04/24/2009	Bradley Schlosser, Pres.
Morton, Daniel	New South Properties	dobertme@newsouthprop.com		919-927-2897	07/01/2009	Tiffany sent fact sheet, etc.
Musson, Thomas	BPG Management	park@obadvantage.com		919-669-0581	03/09/2009	predecessor to Dale Hall. Only Fact Sheet sent.
Obermeier, Dan	PGA Development	dnip@atl@gmail.com			07/06/2009	furniture store
Palmar, John	Coldwell Banker	lyoncompanies@yahoo.com	Chapel Hill	919-412-0222	05/21/2009	Just future plan
Parlin, Mark	Narsi Properties	philip@ankatands.com		704-400-6020	06/01/2009	Hotel guys
Park, John		aprovenzano@atlanticretail.com		919-808-9466	04/14/2009	
Petropoulos, George		andy@andyroberts.biz		919-616-0066	06/01/2009	friend of John Engler's architect
Plotkin, J	Carclantic	rich@omnegarchitects.com	Charlotte	704-222-5318	06/05/2009	
Provenzano, Anthony	Atlantic Retail Properties	cs27612@yahoo.com		919-810-7803	06/24/2009	
Roberts, Andy	Omega Design	mdolp@piazassociatesinc.com		919-232-5000	04/16/2009	Floor plan only
Roberts, Rich	Piazza and Assoc.	dsamir@pendweb.com		919-781-8870	02/04/2009	
Rudd, Steve	Pendel Commercial	seilusa@gmail.com		919-502-0678	04/16/2009	used car lot. have not responded
Rudd, Neil	Brown Commercial Realty	keian@browncommercialreale.com		919-868-7426	07/06/2009	Children's entertainment facility
Sambrock, Dene	KD Group, LLC	crad@kdgroupinc.com		919-225-4417		interested in buying. Would like us to set price
Shah, Ketan		thomshury@excite.com		271-6884		
Siemick, Chad		pa.vare@hotmail.com		906-6193		
Sutton, Billy	Cape Fear Commercial	vn@capefearcommercial.com			04/24/2009	
Vazquez, Pedro	Maverick Funding	EWise@Maverickpartners.com		919-521-6030	04/30/2009	
Wells, Vin		byron@teachingyourgoalsinc.com		910-617-3600	03/13/2009	Fact Sheet only
Williams, Byron	Powell Properties	mat@powellproperties.com		919-682-0501	05/07/2009	
Winters, Matt	Rhema Life	le.young@rhema.com		919-434-5100	05/07/2009	
Woodside, Leroy	Southern Land Co	Wall Young@southernland.com		414-3263	04/22/2009	Interested in lease or building purchase
Young, Matt	DWS	zick2009@yahoo.com		516-547-4116	05/21/2009	
Zick, Sean				919-264-3966		
				407-929-7175	04/14/2009	auction house. disappeared